

**IN THE CLAIMS:**

Claims 1-3, 8, 9, 12 through 14, 17, and 18 have been amended herein. New claims 21 through 28 are to be added. All of the pending claims 1 through 28 are presented below. This listing of claims will replace all prior versions and listings of claims in the application. Please enter these claims as amended.

**Listing of Claims:**

1. (Currently amended) A cell comprising:  
a first nucleic acid sequence encoding adenovirus E1A and E1B gene products;  
wherein the cell lacks a nucleic acid sequence ~~encoding a functional or active~~ from an adenovirus pIX gene product that can mediate homologous recombination with a second nucleic acid sequence encoding a functional or active pIX gene product.
2. (Currently amended) The cell of claim 1, wherein the first nucleic acid sequence encoding the adenovirus E1A and E1B gene products lacks the nucleic acid sequence ~~encoding the functional or active~~ from the adenovirus pIX gene product that can mediate homologous recombination with a second nucleic acid sequence encoding a functional or active pIX gene product.
3. (Currently amended) The cell of claim 1, ~~further comprising~~ wherein said first nucleic acid sequence comprises nucleotides 459-3510 of the human adenovirus 5 genome.
4. (Original) The cell of claim 1, wherein the cell is of a retina cell origin.
5. (Original) The cell of claim 1, wherein the cell is of a primary cell origin.
6. (Original) The cell of claim 1, wherein the cell is of an embryonal cell origin.
7. (Original) The cell of claim 1, wherein the cell is a human cell.

8. (Currently amended) The cell of claim 1, wherein the first nucleic acid sequence encoding the adenovirus E1A and E1B gene products is integrated in a genome of the cell.

9. (Currently amended) The cell of claim 1, wherein the cell is a PER.C6 cell as deposited under no. 96022940 at the ~~ECACC~~ European Collection of Animal Cell Cultures, or a derivative thereof

10. (Original) The cell of claim 1, further comprising a nucleic acid sequence encoding an adenovirus E2A gene product.

11. (Original) The cell of claim 10, wherein the adenovirus E2A gene product includes a temperature sensitive 125 mutation.

12. (Currently amended) An isolated cell comprising:  
a first nucleic acid sequence encoding adenovirus E1A and E1B proteins, said cell lacking a nucleic acid sequence ~~encoding active~~ from an adenovirus pIX protein gene that can mediate homologous recombination with a second nucleic acid sequence encoding a functional or active pIX gene product.

13. (Currently amended) The isolated cell of claim 12, wherein the first nucleic acid sequence encoding the adenovirus E1A and E1B proteins lacks a nucleic acid sequence ~~encoding active~~ from the adenovirus pIX protein gene that can mediate homologous recombination with a second nucleic acid sequence encoding a functional or active pIX gene product.

14. (Currently amended) The isolated cell of claim 12, ~~further~~ comprising nucleotides 459-3510 of the human adenovirus 5 genome incorporated therein.

15. (Original) The isolated cell of claim 12, wherein the isolated cell is of a retina cell origin.

16. (Original) The isolated cell of claim 15, wherein the isolated cell is a human cell.
17. (Currently amended) The isolated cell of claim 12, wherein the first nucleic acid sequence encoding the adenovirus E1A and E1B proteins is integrated into the isolated cell's genome.
18. (Currently amended) The isolated cell of claim 16, wherein the isolated cell originates from a PER.C6 cell as deposited under no. 96022940 at the European Collection of Animal Cell Cultures ECACC, or a derivative thereof.
19. (Original) The isolated cell of claim 12, further comprising a nucleic acid sequence encoding an adenovirus E2A protein.
20. (Original) The isolated cell of claim 19, wherein the adenovirus E2A protein includes a temperature sensitive 125 mutation.
21. (New) The cell of claim 1, further comprising a recombinant expression vector derived from a human adenovirus genome, wherein said expression vector comprises an adenovirus gene encoding a pIX protein and further wherein said expression vector lacks nucleic acid sequences that overlap with said first nucleic acid sequence.
22. (New) The cell of claim 10, wherein the nucleic acid sequence encoding an adenovirus E2A protein is operatively linked to an E1A-independent transcription initiation region.
23. (New) The cell of claim 21, wherein the recombinant expression vector is IG.Ad.MLPI.TK shown in FIG. 12.
24. (New) The cell of claim 21, wherein the recombinant expression vector is derived from a human adenovirus 5 genome from which nucleotides 459-3510 have been deleted.

25. (New) The isolated cell of claim 12, further comprising a recombinant expression vector derived from a human adenovirus genome, wherein said expression vector comprises an adenovirus gene encoding a pIX protein and further wherein said expression vector lacks nucleic acid sequence that overlaps with said first nucleic acid sequence.

26. (New) The cell of to claim 19, wherein the nucleic acid sequence encoding an adenovirus E2A protein is operatively linked to an E1A-independent transcription initiation region.

27. (New) The cell of claim 25, wherein the recombinant expression vector is IG.Ad.MLPI.TK shown in FIG. 12.

28 (New) The cell of claim 25, wherein the recombinant expression vector is derived from a human adenovirus 5 genome from which nucleotides 459-3510 have been deleted.